

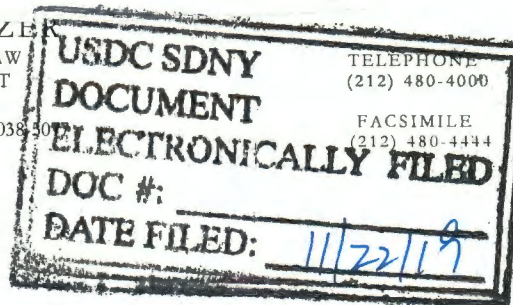
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November 20, 2019

The Honorable Sidney H. Stein
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: **USA v. John Tortora,**
S1 18 Cr. 537 (SHS)

Dear Judge Stein:

Yesterday evening we filed DE 78, a redacted letter motion requesting issuance of a Rule 17(c) subpoena to the Yonkers Police Department. Based upon the government's request, we now write to ask the court to seal that motion and remove it from the public ECF database. An unredacted copy of our motion was mailed to Ms. Blakely last night.

In our ECF filing, we redacted materials disclosed in the confidential discovery. The government does not believe that sufficient and requests that we redact the identification of two confidential informants -- even though they are nowhere identified by name in the confidential discovery.

Although we disagree with the government's rationale, and note that the identities of the two informants in question are known independently to us (and one was in fact identified in the press pursuant to information obtained from "law enforcement sources") we do not oppose the removal of DE 78 from the public docket and the sealing thereof and therefore request that the Court enter an appropriate order to effectuate this result while the Court considers and rules upon the request we make in DE 78, for a Rule 17(c) subpoena.

Respectfully submitted,

Richard Levitt

cc: AUSA Jessica Fender
AUSA Anden Chow
AUSA Lauren Schorr

SO ORDERED 11/22/19

SIDNEY H. STEIN
U.S.D.J.